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BEFORE THE
ILLINOIS COMMERCE COMMISSION

CONSOLIDATED

CENTRAL ILLINOIS LIGHT COMPANY)	DOCKET NO.
d/b/a AmerenCILCO)	08-0685
)	
Petition for confidential)	
treatment of certain agreements)	
associated with a Notice of)	
Assignment of Certain Agreements)	
pursuant to Section 16-111(g) of)	
the Public Utilities Act.)	
-----)	
)	
CENTRAL ILLINOIS LIGHT COMPANY)	DOCKET NO.
d/b/a AmerenCILCO)	09-0131
)	
Petition for Approval of)	
Assignment of certain agreements)	
pursuant to Sections 7-101 and)	
7-102 of the Illinois Public)	
Utilities Act.)	

Springfield, Illinois
Tuesday, June 8, 2010

Met, pursuant to notice, at 9:00 A.M.

BEFORE:

MS. LISA TAPIA, Administrative Law Judge

SULLIVAN REPORTING COMPANY
BY: Carla J. Boehl, Reporter
CSR No. 084-002710

1 APPEARANCES:

2 MR. EDWARD C. FITZHENRY
3 Corporate Counsel
4 1901 Chouteau Avenue
5 P.O. Box 66149, Mail Code 1310
6 St. Louis, Missouri 63166.
7 Ph. (314) 554-4673

8 (Appearing via teleconference on
9 behalf of Central Illinois Light
10 Company d/b/a AmerenCILCO)

11 MS. JANIS VON QUALEN
12 Office of General Counsel
13 527 East Capitol Avenue
14 Springfield, Illinois 62701
15 Ph. (217) 785-3402

16 (Appearing on behalf of Staff
17 witnesses of the Illinois Commerce
18 Commission)

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I N D E X

WITNESS

DIRECT

CROSS

REDIRECT

RECROSS

(None)

EXHIBITS

MARKED

ADMITTED

AmerenCILCO 1.0, 1.1, 1.2, 1.3, 1.4

E-docket

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ICC Staff 1.0, 1.1

E-docket

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1 PROCEEDINGS

2 JUDGE TAPIA: By the authority vested in me by
3 the Illinois Commerce Commission, I now call Docket
4 Number 08-0685 and 09-0131. These cases are
5 consolidated. 09-0131, for the record it is a
6 petition for approval of assignment of certain
7 agreements pursuant to Section 7-101 and 7-102 of the
8 Public Utilities Act. Case Number 08-0685 is a case
9 in regards to confidential treatment and approval of
10 the assignment of concern agreements pursuant to
11 Section 7-101 and 7-102 of the Illinois Public
12 Utilities Act.

13 May I have appearances for the record,
14 please?

15 MR. FITZHENRY: Yes, on behalf of the
16 Petitioner Central Illinois Light Company doing
17 business as AmerenCILCO, my name is Edward Fitzhenry.
18 My address is 1901 Chouteau Avenue, Post Office Box
19 66149, Mail Code 1310, St. Louis, Missouri
20 63166-6149.

21 MS. VON QUALEN: Jan Von Qualen on behalf of
22 the Staff witnesses of the Illinois Commerce

1 Commission, 527 East Capitol Avenue, Springfield,
2 Illinois 62701.

3 JUDGE TAPIA: Thank you. I will mark for the
4 record that there are no others wishing to enter an
5 appearance.

6 For the record this is an evidentiary
7 hearing. There will be no cross examination for any
8 of the witnesses. So we will start with
9 Mr. Fitzhenry.

10 MR. FITZHENRY: Yes, Your Honor. On July 17,
11 2009 the Company submitted the direct testimony on
12 e-Docket, the direct testimony of Craig D. Nelson
13 which consisted of seven pages. Also included with
14 Mr. Nelson's testimony were AmerenCILCO Exhibits 1.1,
15 1.2 and 1.3 which were prepared by him. In support
16 of his testimony and exhibits and to authenticate
17 same, we submitted Mr. Nelson's affidavit on May 26,
18 2010, as AmerenCILCO Exhibit 1.4. Thus we move for
19 the admission into the evidentiary hearing of Ameren
20 Exhibits 1.0, 1.1, 1.2, 1.3 and 1.4 as evidence in
21 this docket.

22 JUDGE TAPIA: Thank you.

1 MR. FITZHENRY: And, further, we would also
2 note that Docket 08-0685 which sought confidential
3 treatment with respect to a service agreement and
4 amended service agreement be deemed confidential and
5 proprietary and be treated as such, we ask for that
6 relief to be granted as well. It is our
7 understanding that the Commission Staff has no
8 objection to that relief being sought by the Company.

9 And then finally based on an
10 off-the-record discussion with Ms. Von Qualen,
11 AmerenCILCO has agreed to provide the Commission
12 Staff within 14 days from today a draft Proposed
13 Order for their consideration. My understanding
14 further is that Commission Staff may take up to 14
15 days to review and provide any comments back to the
16 Company. At that point in time the Company would
17 file on e-Docket the agreed-to draft Proposed Order.
18 We would also provide to you, Judge Tapia, a Word
19 version of that draft Proposed Order.

20 JUDGE TAPIA: Thank you, Mr. Fitzhenry.
21 Ms. Von Qualen, any objection to the admission of
22 those exhibits?

1 MS. VON QUALEN: No, Staff has no objection.

2 JUDGE TAPIA: Hearing no objection, the direct
3 testimony of Craig D. Nelson, 1.0, and the attached
4 Exhibits 1.1, 1.2 and 1.3 and his affidavit 1.4 is
5 admitted into the record.

6 (Whereupon AmerenCILCO Exhibits
7 1.0, 1.1, 1.2, 1.3 and 1.4 were
8 admitted into evidence.)

9 JUDGE TAPIA: Mr. Fitzhenry, I have a question.
10 How long confidential treatment are you requesting?

11 MR. FITZHENRY: Well, I think five years. I
12 think that's generally what the Commission is
13 agreeable to, and I think in this instance five years
14 would be sufficient.

15 JUDGE TAPIA: Ms. Von Qualen, five years?

16 MS. VON QUALEN: Staff has no objection.

17 JUDGE TAPIA: Mr. Fitzhenry, why five years?
18 Why not two?

19 MR. FITZHENRY: Well, yes, the contract remains
20 in place for, if I recall, 2014. I could be wrong
21 about that. But that seems to take us beyond the,
22 you know, at least three years, four years, from

1 today's date. And, you know, again to the extent the
2 contract is in place during that period of time, the
3 parties to the contract would expect that each other
4 would treat the contract as confidential and
5 proprietary.

6 JUDGE TAPIA: Until the duration of the
7 contract?

8 MR. FITZHENRY: Correct.

9 JUDGE TAPIA: So five years is going beyond the
10 contract date.

11 MR. FITZHENRY: Yes. I don't know the exact
12 date the contract was entered into, but I understand
13 or recall that was going to extend out to 2014.
14 Maybe the four years would be more appropriate.

15 JUDGE TAPIA: Okay. Thank you very much,
16 Mr. Fitzhenry.

17 Ms. Von Qualen?

18 MS. VON QUALEN: As noted, Staff has no
19 objection to the request for confidential treatment
20 in 08-0685. Staff filed testimony, the testimony of
21 Rochelle Phipps as ICC Staff Exhibit 1.0 on May 17,
22 and Staff moves for admission of that testimony into

1 evidence and Staff will be filing an affidavit in
2 support of that testimony which will be identified as
3 ICC Staff Exhibit 1.1. Staff also moves for
4 admission of ICC Staff Exhibit 1.1 into evidence.

5 JUDGE TAPIA: Thank you. Mr. Fitzhenry, any
6 objection to the admission of those exhibits?

7 MR. FITZHENRY: None, Judge.

8 JUDGE TAPIA: Thank you. Therefore, hearing no
9 objection, ICC Staff Exhibit 1.0 which is the direct
10 testimony of Rochelle Phipps and the affidavit that
11 will be filed later this week or today, 1.1, is
12 admitted into the record.

13 (Whereupon ICC Staff Exhibits
14 1.0 and 1.1 were admitted into
15 evidence.)

16 JUDGE TAPIA: Mr. Fitzhenry, I think I am going
17 to recommend four years for the confidentiality.

18 MR. FITZHENRY: That's acceptable, Judge.
19 Thank you.

20 JUDGE TAPIA: Anything else before we mark this
21 -- actually, I am going to continue this case
22 generally. I will mark it heard and taken at the end

1 of the week.

2 Anything we need to discuss on the
3 record before we adjourn?

4 MS. VON QUALEN: No, I don't believe so.

5 MR. FITZHENRY: I just would like a copy of the
6 transcript, Judge.

7 JUDGE TAPIA: Thank you. Then I will continue
8 this case generally.

9 (Whereupon the hearing in this
10 matter was continued generally.)

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